

1 **UNITED STATES DISTRICT COURT**
2 **DISTRICT OF NEVADA**
3

4 IRWIN L. WEINBERG,

5 Plaintiff,

6 v.

7 ARAMARK, et al.,

8 Defendants.
9

Case No. 2:07-CV-1155-KJD-GWF

ORDER

10 On October 16, 2007, Magistrate Judge George Foley Jr. Issued an Order (#4) denying
11 Plaintiff's application to proceed *in forma pauperis*. The Court ordered Plaintiff to pay the filing fee
12 of Three hundred fifty dollars (\$350.00) within thirty (30) days from the date the Order was entered.
13 On November 28, 2007, the Magistrate issued a Findings and Recommendation (#5), finding that the
14 Plaintiff had failed to comply with the Court Order (#4) within the allotted period, and that the time
15 allowed had expired. The Magistrate also recommended that Plaintiff's Complaint should be
16 dismissed with prejudice based on Plaintiff's failure to pay the filing fee of Three hundred fifty
17 dollars (\$350.00). To date, Plaintiff has not complied with the Court Order, and no objections to the
18 Magistrate Judge's Findings and Recommendation (#5) have been filed pursuant to Local Rule IB 3-
19 2 of the Local Rules of Practice of the United States District Court of the District of Nevada.

20 Therefore, the Court **ACCEPTS** in whole the Report & Recommendation (#5) of Magistrate
21 Judge George Foley Jr. entered November 28, 2007. **IT IS HEREBY ORDERED** that Plaintiff's
22 Complaint is **DISMISSED** with prejudice.

23 DATED this 14th day of April 2008.

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25 _____
26 Kent J. Dawson
United States District Judge